

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 561 be amended to read as follows:

- 1       Page 1, between the enacting clause and line 1, begin a new  
2       paragraph and insert:  
3       "SECTION 1. IC 36-8-1-11 IS AMENDED TO READ AS  
4       FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. (a) "Salary of a first  
5       class patrolman or first class firefighter" means the base salary of a  
6       patrolman or firefighter plus:  
7       (1) all longevity increases, if provided by the employer, for  
8       service of twenty (20) years or less; **and**  
9       (2) **an amount equal to the greater of zero (0) or:**  
10       (A) **the total remuneration or allowances for clothing that**  
11       **are paid to the patrolman or firefighter; minus**  
12       **(B) six hundred dollars (\$600);**  
13       but does not include remuneration or allowances for fringe benefits,  
14       incentive pay, holiday pay, insurance, clothing **(except to the extent**  
15       **allowed under subdivision (2))**, automobiles, firearms, education,  
16       overtime, or compensatory time off.  
17       (b) With respect to the 1925, 1937, and 1953 funds, "salary of a first  
18       class patrolman or firefighter" may include longevity increases for  
19       more than twenty (20) years of service at the option of the employer but  
20       only if these longevity increases had taken effect before January 1,  
21       1983.  
22       SECTION 2. IC 36-8-6-19 IS AMENDED TO READ AS  
23       FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 19. (a) Remuneration  
24       or allowances for fringe benefits, incentive pay, holiday pay, insurance,

1 ~~clothing~~, automobiles, firearms, education, overtime, or compensatory  
 2 time off may not be used in the computation of benefits under this  
 3 chapter.

4 (b) If the remuneration or allowances described in subsection (a)  
 5 were used to compute benefits for a recipient who began receiving  
 6 benefits before May 2, 1977, this computation may continue only for  
 7 that recipient and only during the eligibility period for benefits. The  
 8 municipality and the official involved are not liable for making the  
 9 overpayment, and a recipient is not required to repay the overpayment.

10 **(c) Remuneration or allowances for clothing may be used in the**  
 11 **computation of benefits under this chapter to the extent allowed**  
 12 **under IC 36-8-1-11.**

13 SECTION 3. IC 36-8-7-25 IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 25. (a) Remuneration  
 15 or allowances for fringe benefits, incentive pay, holiday pay, insurance,  
 16 ~~clothing~~, automobiles, firearms, education, overtime, or compensatory  
 17 time off may not be used in the computation of benefits under this  
 18 chapter.

19 (b) If the remuneration or allowances described in subsection (a)  
 20 were used to compute benefits for a recipient who began receiving  
 21 benefits before May 2, 1977, this computation may continue only for  
 22 that recipient and only during the eligibility period for benefits. The  
 23 unit and the official involved are not liable for making the  
 24 overpayment, and a recipient is not required to repay the overpayment.

25 **(c) Remuneration or allowances for clothing may be used in the**  
 26 **computation of benefits under this chapter to the extent allowed**  
 27 **under IC 36-8-1-11.**

28 SECTION 4. IC 36-8-7.5-21 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 21. (a) Remuneration  
 30 or allowances for fringe benefits, incentive pay, holiday pay, insurance,  
 31 ~~clothing~~, automobiles, firearms, education, overtime, or compensatory  
 32 time off may not be used in the computation of benefits under this  
 33 chapter.

34 (b) If the remuneration or allowances described in subsection (a)  
 35 were used to compute benefits for a recipient who began receiving  
 36 benefits before May 2, 1977, this computation may continue only for  
 37 that recipient and only during the eligibility period for benefits. The  
 38 city and the official involved are not liable for making the  
 39 overpayment, and a recipient is not required to repay the overpayment.

40 **(c) Remuneration or allowances for clothing may be used in the**  
 41 **computation of benefits under this chapter to the extent allowed**  
 42 **under IC 36-8-1-11."**

43 Page 10, between lines 30 and 31, begin a new paragraph and insert:

44 "SECTION 15. [EFFECTIVE JULY 1, 2007] (a) IC 36-8-1-11,  
 45 IC 36-8-6-19, IC 36-8-7-25, and IC 36-8-7.5-21, all as amended by  
 46 this act, do not apply to or abrogate a contract or an agreement in

1       **effect on June 30, 2007.**

2       **(b) IC 36-8-1-11, IC 36-8-6-19, IC 36-8-7-25, and IC 36-8-7.5-21,**  
3       **all as amended by this act, apply to a contract or an agreement**  
4       **entered into, modified, renewed, or extended after June 30, 2007."**

5       Renumber all SECTIONS consecutively.

(Reference is to ESB 561 as printed April 6, 2007.)

---

Representative Cochran